

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LYNETTE M. PITTS, on behalf of herself
and all others similarly situated,

Plaintiffs,

-vs-

GUARANTEE TRUST LIFEINSURANCE
COMPANY,

Defendant.

:
: CASE NO. 1:08 CV 1621
:

:
: ORDER ADOPTING REPORT AND
: RECOMMENDATION
:
:
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This matter was referred to United States Magistrate Judge Greg White for a Report and Recommendation ("R&R") pursuant to Local Civil Rule 72.2(b)(2). (Doc. 17). In his R&R, Magistrate Judge White recommends denying as moot Defendant's Motion to Dismiss Count III of the original Complaint (Doc. 9). The Plaintiff's timely Motion to Amend its Complaint *Instante*r (Doc. 21) cured the substance of the Defendant's dismissal challenge. (Doc. 22).

No party has objected to the Magistrate Judge's R&R. Therefore, this Court will presume the parties are satisfied with the determination. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources.

Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human

Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's R&R is adopted and the Defendant's motion to dismiss is denied as moot.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE